

OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION

ORIGINAL

BEFORE THE

ILLINOIS COMMERCE COMMISSION

GTE NORTH INCORPORATED )  
GTE SOUTH INCORPORATED, and )  
BELL ATLANTIC NETWORK )  
DATA, INC. )

Joint Petition of GTE North Incorporated, )  
GTE South Incorporated, and )  
Bell Atlantic Network Data, Inc. )  
For Approval Pursuant To 47 U.S.C. )  
§§ 252 (a)(1) and 252(e), )  
of the First Supplement to an )  
Interconnection, Resale and Unbundling )  
Agreement )

00-0472

CHIEF CLERK'S OFFICE

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ILLINOIS  
COMMERCE COMMISSION

JOINT PETITION FOR APPROVAL OF THE FIRST SUPPLEMENT  
TO AN INTERCONNECTION, RESALE AND UNBUNDLING AGREEMENT  
AMONG GTE NORTH INCORPORATED, GTE SOUTH INCORPORATED,  
AND BELL ATLANTIC NETWORK DATA, INC.

GTE North Incorporated and GTE South Incorporated (collectively ("GTE")) and  
Bell Atlantic Network Data, Inc. ("BAND"), Joint Petitioners, pursuant to 47 U.S.C.  
§§252(a)(1) and 252(e) and Ill. Admin. Code tit. 83, § 763, petition the Illinois  
Commerce Commission to approve the First Supplement to an Interconnection, Resale  
and Unbundling Agreement between GTE and BAND, on the following grounds:

1. The Joint Petitioners have entered into this agreement ("Supplemental  
Agreement") (attached as Exhibit 1) to supplement the adopted terms of the

Interconnection, Resale and Unbundling Agreement filed with this Commission on June 29, 2000.<sup>1</sup>

2. These parties have entered this agreement supplementing adopted terms to implement the Federal Communications Commission's ("FCC") Third Report and Order and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-238 (released November 5, 1999) ("UNE Remand Order") and the Third Report and Order in CC Docket No. 98-147 and Fourth Report and Order in CC Docket No. 96-98 (released December 9, 1999) (FCC 99-355) ("Line Sharing Order").

3. Among other things, this Supplemental Agreement establishes the terms and conditions for unbundled network elements (UNEs), including line sharing terms and conditions between the Petitioners. Such agreements are to be encouraged. Thus, the filed interconnection agreement is consistent with the public interest, convenience, and necessity.

4. Pursuant to Section 252(e)(2) of the Telecommunications Act of 1996, *see* 47 U.S.C. § 252(e)(2), the Commission may only reject a negotiated agreement if it finds that (1) the agreement discriminates against another carrier or (2) implementation of the agreement would not be consistent with the public interest, convenience and necessity. Neither basis for rejection of an agreement is present here.

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<sup>1</sup> GTE is submitting this Joint Petition pursuant to Sections 252 (a)(1) and 252 (e) of the Telecommunications Act of 1996 seeking the Commission's approval of the agreement described therein. GTE has also submitted, under separate cover, a Joint Petition pursuant to Section 252(i) of the Telecommunications Act of 1996 to notify the Commission of the adoption by Bell Atlantic Data Network, Inc. of an agreement between GTE and NorthPoint Communications Incorporated approved by this Commission in Docket 99-NA-052. (See *Joint Petition of GTE North Incorporated, GTE South Incorporated, and Bell Atlantic Network Data, Inc. Regarding Adoption of An Interconnection Agreement*, filed June 29, 2000.) With respect to prior applications of this nature, the Commission has elected to treat the adopted terms as a negotiated agreement. Because Section 252 (i) requires the adoption to be implemented as a matter of law, GTE does not agree with the Commission's characterization of such agreements as negotiated agreements. Nothing contained in this Joint Petition alters GTE's belief that Section 252(i) of the Telecommunications Act of 1996 requires the adoption of interconnection agreements as a matter of law.

THEREFORE, GTE and BAND respectfully request that the proposed First Supplement to the Interconnection, Resale and Unbundling Agreement Among GTE North Incorporated, GTE South Incorporated, and Bell Atlantic Network Data, Inc. be approved as filed.

Respectfully submitted this 29<sup>th</sup> day of June 2000.

GTE NORTH INCORPORATED  
DATA, INC.  
GTE SOUTH INCORPORATED

By: Rendi Mann - Stadt

J. William Roberts  
Rendi Mann-Stadt  
Hinshaw & Culbertson  
400 So. 9<sup>th</sup> Street  
Suite 400  
Springfield, IL 62701  
Tel. No.: (217) 528-7375  
Fax No.: (217) 528-3702

Tracy D. Pagliara  
GTE Service Corporation  
600 Hidden Ridge  
HQE03J36  
Irving, TX 75038  
Tel. No. (972) 718-6362  
Fax No. (972) 718-1250

ATTORNEYS FOR GTE NORTH  
INCORPORATED AND GTE SOUTH  
INCORPORATED

BELL ATLANTIC NETWORK

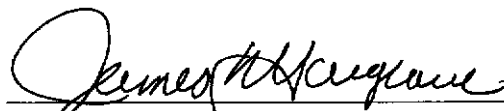
By: John Cullina

John Cullina  
General Secretary and Chief Counsel  
Bell Atlantic Network Data, Inc  
1095 Avenue of the Americas  
Room 4131 - 41<sup>st</sup> Floor  
New York, New York 10036  
Tel. No. (212) 395-6852

ATTORNEY FOR  
BELL ATLANTIC NETWORK  
DATA, INC.

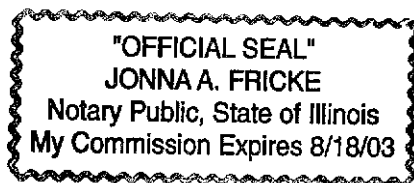
STATE OF ILLINOIS                     )  
  )  
COUNTY OF MCLEAN                )       ss       VERIFICATION

James R. Hargrave, being first duly sworn, deposes and states that he is the Assistant Vice President-Regulatory & Governmental Affairs for GTE North Incorporated; that he is authorized by GTE North Incorporated and GTE South Incorporated to make this verification; that he has read the above and foregoing Joint Petition for the First Supplement of an Interconnection, Resale and Unbundling Agreement Between GTE North Incorporated, GTE South Incorporated, and Bell Atlantic Network Data, Inc. and knows the contents thereof, and that said contents are true to the best of his knowledge, information and belief.



Assistant Vice President-Regulatory &  
Governmental Affairs

Subscribed and sworn to before me, a notary public for the State of Illinois this  
27 day of June 2000.



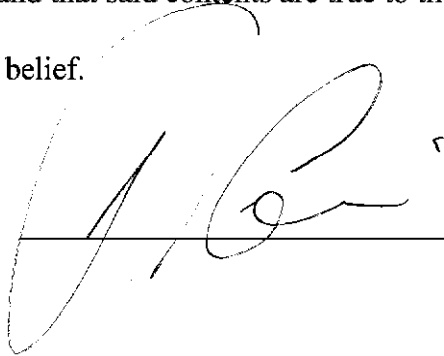
  
Notary Public

My commission expires:

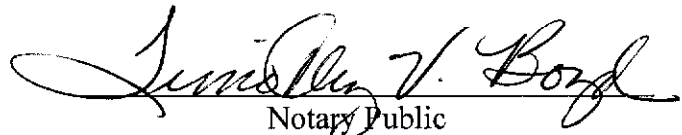
8/18/03

STATE OF VIRGINIA                    )  
  )       ss       VERIFICATION  
COUNTY OF ARLINGTON            )

John S. Cullina, being first duly sworn, deposes and states that he is the General Counsel and Secretary for Bell Atlantic Network Data, Inc.; that he is authorized by Bell Atlantic Network Data, Inc. to make this verification; that he has read the above and foregoing Joint Petition for the First Supplement of an Interconnection, Resale and Unbundling Agreement Between GTE North Incorporated, GTE South Incorporated, and Bell Atlantic Network Data, Inc. and knows the contents thereof; and that said contents are true to the best of his knowledge, information and belief.



Subscribed and sworn to before me, a notary public for the State of Virginia this 27<sup>th</sup> day of June 2000.

  
Notary Public

My commission expires:

9/30/03

